IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION NO. 04-532

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SHAWN BROWN : CIVIL ACTION NO. 11-4183

ORDER

AND NOW, this 12th day of October, 2011, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

- (1) the motion of defendant Shawn Brown to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 is DENIED;
- (2) the motion of the government to dismiss the petition of Brown under \$ 2255 is GRANTED; and
 - (3) no certificate of appealability is issued.

BY THE COURT:

/s/ Harvey Bartle III